

1 WRIGHT, FINLAY & ZAK, LLP  
2 Darren T. Brenner, Esq.  
3 Nevada Bar No. 8386  
4 Lindsay D. Dragon, Esq.  
5 Nevada Bar No. 13474  
6 7785 W. Sahara Ave., Suite 200  
7 Las Vegas, NV 89117  
8 (702) 637-2345; Fax: (702) 946-1345  
9 [dbrenner@wrightlegal.net](mailto:dbrenner@wrightlegal.net)  
10 [ldragon@wrightlegal.net](mailto:ldragon@wrightlegal.net)

11 *Attorneys for Plaintiff, Wells Fargo Bank, N.A., As Trustee for Option One Mortgage Loan Trust*  
12 *2007-5 Asset-Backed Certificates, Series 2007-5*

13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**

15 WELLS FARGO BANK, N.A., AS  
16 TRUSTEE FOR OPTION ONE MORTGAGE  
17 LOAN TRUST 2007-5 ASSET-BACKED  
18 CERTIFICATES, SERIES 2007-5,

19 Plaintiff,

20 vs.

21 FIDELITY NATIONAL TITLE  
22 INSURANCE COMPANY,

23 Defendant.

Case No.: 3:19-cv-00241-MMD-CSD

**ORDER GRANTING STIPULATION  
AND ORDER TO STAY DISCOVERY  
PENDING MOTION TO DISMISS [ECF  
No. 26]**

24 Plaintiff, Wells Fargo Bank, N.A., As Trustee for Option One Mortgage Loan Trust 2007-  
25 5 Asset-Backed Certificates, Series 2007-5 (“Wells Fargo”) and Defendant, Fidelity National Title  
26 Insurance Company (“Fidelity” and with Wells Fargo, the “Parties”), by and through their counsel  
27 of record, hereby stipulate and agree as follows:

28 **WHEREAS**, on December 17, 2021, Wells Fargo filed its First Amended Complaint in  
the instant action [ECF No. 25];

**WHEREAS**, on December 23, 2021, Fidelity filed its Motion to Dismiss Wells Fargo’s  
First Amended Complaint [ECF No. 26];

**WHEREAS**, the Motion to Dismiss has been fully briefed and is pending the Court’s  
decision [ECF Nos. 29, 31];

1           **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby  
2 stipulate and agree as follows:

- 3           1. In the interests of judicial economy, the Parties stipulate and agree that discovery in  
4 this case shall be **STAYED** pending the Court's decision on Fidelity's Motion to  
5 Dismiss Wells Fargo's Amended Complaint [ECF No. 26];  
6           2. The Scheduling Order [ECF No. 38] is hereby **VACATED**;  
7           3. Nothing contained in this stipulation will affect any pending dispositive motions or  
8 prevent the Parties from filing any dispositive motions.  
9           4. Each of the Parties may request a further Fed R. Civ. P. 26(f) conference at any time  
10 180 days after the order granting this Stipulation.  
11           5. By entering into this Stipulation, none of the Parties is waiving its right to subsequently  
12 move the Court for an order lifting the stay in this action.  
13           6. In the event the Motion to Dismiss is denied, the Parties will submit a proposed  
14 discovery plan within thirty (30) days of the Court's Order.

15           **IT IS SO STIPULATED.**

16           DATED this 13th day of April, 2022.

                  DATED this 13th day of April, 2022.

17           WRIGHT, FINLAY & ZAK, LLP

                  EARLY SULLIVAN WRIGHT  
                  GIZER & McRAE LLP

18           /s/ Lindsay D. Dragon

/s/ Sophia S. Lau

19           Lindsay D. Dragon, Esq.

                  Sophia S. Lau, Esq.

20           Nevada Bar No. 13474

                  Nevada Bar No. 13365

21           7785 W. Sahara Ave., Suite 200

                  8716 Spanish Ridge Avenue, Suite 105

22           Las Vegas, NV 89117

                  Las Vegas, Nevada 89148

23           Attorneys for Plaintiff, Wells Fargo Bank,

                  Attorney for Defendant, Fidelity National

24           N.A., As Trustee for Option One Mortgage

                  Title Insurance Company

25           Loan Trust 2007-5 Asset-Backed Certificates,

26           Series 2007-5

27           **IT IS SO ORDERED.**

28           Dated this 22 day of April, 2022.

  
UNITED STATES MAGISTRATE JUDGE